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Attorneys for Defendant Progressive Casualty Insurance Company

UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

BCB BANCORP, INC., *et al.*,

Plaintiffs,

vs.

PROGRESSIVE CASUALTY
INSURANCE COMPANY, *et al.*,

Defendants.

Case No. 2:13-cv-1261 –CCC-
JAD

PROGRESSIVE
CASUALTY INSURANCE
COMPANY’S NOTICE OF
MOTION AND MOTION
TO DISMISS

Return Date: July 21, 2014

TO:

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COUNSEL:

Please take notice that on July 21, 2014, or another time prescribed by the Court, defendant Progressive Casualty Insurance Company (“Progressive”) shall

move before The Honorable Claire C. Cecchi, United States District Judge, at the Martin Luther King, Jr. Building and United States Courthouse, 50 Walnut Street, Newark, New Jersey 07101, pursuant to Fed. R. Civ. P. 12(b)(6) for entry of an order dismissing the Complaint, Doc. No. 1-2, as to it, with prejudice. The Court authorized Progressive's filing of this Motion by its Order dated April 10, 2013 (Dkt. 11).

Please take further notice that in support of this motion, Progressive shall rely upon the Brief in Support of Motion to Dismiss and the Certification of John P. Campbell, which are submitted herewith. Progressive has submitted a proposed form of Order with this Notice of Motion.

Dated: June 24, 2014

SCHENCK, PRICE, SMITH &
KING, LLP

By: /s John P. Campbell
Michael K. Mullen
John P. Campbell

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